vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1997 OF 2006
IN
SUIT NO.223 OF 2005

Comm.Cyrus Patell ... Plaintiff

V/s.

Lt.CDR.IN (Retd.) M.G. Deodhar ... Defendant

Mr.D.D. Madon with Mr.Sanjay Udesh for Plaintiff
Mr.P.Paul for Defendant

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JUNE 30, 2006**

P.C.:

. Mr.Paul, appearing for the Defendant, states that the suit flat has already been sold on 15.12.2005 by a registered sale deed. In view of this, this Motion has become infructuous. Therefore, the Plaintiff seeks liberty to withdraw the same and file a fresh Motion after taking necessary steps to join the incumbent in the flat as a party.

2. Motion is accordingly allowed to be withdrawn with liberty as prayed for and dismissed as such.